

A G E N D A

MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD

Natural Bridge Hotel  
Jefferson Ballroom  
(First Floor)  
Natural Bridge, Virginia  
October 11, 1994  
3:00 p.m.

1. Public Comment
2. Action on Minutes of Meeting of August 18, 1994
3. Action on Permits Issued and Canceled from September 1, 1994 through September 30, 1994
4. Action on Additions, Abandonments or Other Changes in the Secondary System from September 1 through September 30, 1994
5. Action on Additions, Abandonments, Discontinuances or Other Changes in the Primary System: Halifax County
6. Action on Bids Received September 21, 1994
7. Consultant Agreement: Contingency Contract for Miscellaneous Bridge Maintenance and Repair Design Plans  
(A) Region I - Bristol, Salem and Lynchburg Districts  
Hayes Seay Mattern & Mattern, Inc.
- Consultant Agreement: Contingency Contract for Miscellaneous Bridge Maintenance and Repair Design Plans  
(B) Region II - Richmond, Suffolk and Fredericksburg Districts  
Greiner, Inc.
- Consultant Agreement: Contingency Contract for Miscellaneous Bridge Maintenance and Repair Design Plans  
(C) Region III - Staunton, Culpeper and Northern Virginia Districts  
T. Y. Lin International

Consultant Agreement: Route 17 - Gloucester and York Counties  
(D) Proj. 6017-036-115, PE102, B604  
6017-036-115, PE103, RW203, C503  
6017-036-115, PE104, C504, C505  
6017-099-114, PE102, RW202, C502  
0017-027-1946, Act. 462  
George P. Coleman Bridge and Approach  
Roadway Widening  
Parsons Brinckerhoff Quade and Douglas,  
Inc.

Consultant Agreement: Route 58 - Lee County  
(E) Proj. 0058-052-E19, PE101, C501  
Supplemental Agreement # 4 for revision  
in scope of services  
Hayes, Seay, Mattern & Mattern, Inc.

Consultant Agreement: Route 81 - Botetourt and Montgomery  
(F) Counties  
Proj. 0081-011-F15, PE101  
0081-060-F14, PE101  
Supplemental Agreement # 6 for revision  
in scope of services  
Austin Brockenbrough and Associates

Consultant Agreement: Route 100 - Pulaski and Giles Counties  
(G) Proj. 0100-077-105, PE102, PE103  
0100-035-105, PE106  
Supplemental Agreement # 6 for revision  
in scope of services  
KCI Technologies, Inc. (formerly  
Kidde Consultants, Inc.)

Consultant Agreement: Route 252 - City of Staunton  
(H) Proj. 0252-132-V01, PE101  
Supplemental Agreement # 4 for revision  
in scope of services  
Austin Brockenbrough and Associates

Consultant Agreement: Route 460 - Prince Edward County  
(I) Proj. 6460-073-F12, C501, B607, B608  
Provide construction inspection services  
Rummel, Klepper & Kahl

Consultant Agreement: Proj. U000-127-122, C501  
(J) U000-127, 123, C501  
Supplemental Agreement # 4 to provide  
inspection and support services  
for Richmond CBD Signal System  
Frederic R. Harris, Inc.

Consultant Agreement: Washington Bypass Study  
(K) Proj. R000-966-102, PE100  
R000-96A-101, PE100  
Provide services for the preparation of  
a First Tier Final Environmental Impact  
Study  
Parsons Brinckerhoff Quade and Douglas,  
Inc.

8. Design: Herndon Parkway - Town of Herndon  
Proj. U000-235-V05, PE101, RW201, C501, B603, B605  
Fed. No: M-5401 ( )  
Fr: Intersection of Dranesville Road  
To: Intersection of Crestview Road
9. Location Route 3 - Westmoreland County  
& Design: Proj. 0003-096-V14, PE101, RW201, C501  
Fr: 1.081 Miles East of Route 202Y (Relocated)  
To: 0.275 Mile East of ECL of Town of Montross  
  
Location Route 621 - Wise County  
& Design: Proj. 0621-097-389, C501  
Fr: 0.21 Mile North of Route 610  
To: 0.79 Mile North of Route 610
10. Conveyances: Route 8 - Floyd County  
Route 29 - Madison County  
Route 615 - Prince William County  
Route 640 - Prince William County  
Route 648 - Fairfax County  
Route 657 - Amherst County
11. Recreational Access: City of Hampton  
Proj. 9999-114-001, M501  
Sandy Bottom Nature Park  
  
Recreational Access: Tazewell County  
Proj. 9706-092-523, M501  
Tazewell Middle School Sports Complex  
  
Recreational Access: Town of Richlands  
Proj. 9999-148-524, M501  
Williams Park
12. George P. Coleman Bridge: Memorandum of Understanding with the  
Treasury Board for the sale of  
9c bonds  
  
George P. Coleman Bridge: Setting the Toll Rate Structure
13. New Business
14. Adjourn

MINUTES  
OF  
MEETING OF THE COMMONWEALTH TRANSPORTATION BOARD

Natural Bridge Hotel  
Natural Bridge, Virginia  
October 11, 1994  
3:00 p.m.

The monthly meeting of the Commonwealth Transportation Board was held in the Jefferson Ballroom of the Natural Bridge Hotel in Natural Bridge, Virginia on October 11, 1994, at 3:00 p.m. The Chairman, Dr. Robert E. Martínez, presided.

Present: Messrs. Barton, Byrd, Myers, Newcomb, Rhea, Rich, Roudabush and Waldman and Mrs. Lionberger and Dr. Thomas.

Absent: Messrs. Gehr, Howlette, Porter and White and Mrs. Brooks.

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On motion of Dr. Thomas, seconded by Mr. Byrd, the Board approved the minutes of the meeting of August 18, 1994.

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On motion of Mr. Rhea, seconded by Dr. Thomas, the Board approved Permits Issued and Canceled from September 1, 1994 through September 30, 1994, inclusive.

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On motion of Dr. Thomas, seconded by Mr. Rhea, the Board approved Additions, Abandonments or Other Changes in the Secondary System from September 1, 1994 through September 30, 1994, inclusive.

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10-11-94

Moved by Mr. Byrd, seconded by Mrs. Lionberger,  
that

WHEREAS, Route 96 in Halifax County has been altered and reconstructed as shown on plans for Project: 0501-041-117, C-502; and

WHEREAS, one section of the old road is no longer necessary as a public road, the new road serving the same citizens as the old;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 33.1-148 of the Code of Virginia of 1950, as amended, 0.01 mile of old Route 96, designated as Section 1 on the plat dated January 4, 1994, Project: 0501-041-117, C-502, be abandoned as a part of the State Highway System.

Motion carried.

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Moved by Dr. Thomas, seconded by Mr. Roudabush, that the Board approve the bids received September 21, 1994, listed for award on the attached sheets numbered 2a through 2v and authorize execution of contracts by the Deputy Commissioner or Chief Engineer, and approve rejection of those bids listed for rejection and authorize readvertisement.

Motion carried.

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JOB #	DESIGN CONTRACT	PROJECT NUMBER	ROUTE	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
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INTERSTATE PROJECTS

1	2072-94A	940202A1	7085-127-106, 1801	95	AWARD	BURLEIGH CONSTRUCTION CO., INC. CONCORD, VA	3	\$20,210.00
		From: 0.1 Mi. S. Lombardy St. Overpass						
		To: 0.25 Mi. S. Lombardy St. Overpass						
		City of Richmond						
		Landscaping Screening						

2	3097	94H09755	0295-043-5066, SR01		AWARD	BURLEIGH CONSTRUCTION CO., INC. CONCORD, VA	7	\$287,546.00
		1.1 Mi. W. Int. Rte. 157						
		Henrico County						
		Box Culvert Repr.						

2a

3	198-94A	940198A7	0064-131-2527, SR05	1-64	REJECT	THE WHITING-TURNER CONTRACTING CO. BALTIMORE, MD	3	\$5,374,728.00
		Rte. 1-64 over S. Branch Elizabeth Rv.						
		City of Chesapeake						
		Basic Span Rehabilitation						

DEPARTMENT OF TRANSPORTATION  
RECONSTRUCTION DIVISION  
CONTRACT NO. 21-244  
PROJECT NUMBER 064-001-P19-M302  
NO. 04-066-1(099)

221-244 340221A8 064-001-P19-M302 04 04 \$2,587,516.00

RESPECT L. S. LEE, INC.  
RICHMOND, VA

INTERSTATE PROJECTS

From: Rockledge Ct  
To: 7 Mi. E. WY 81 (Interchange Between M.P.  
24 & M.P. 17)

Allegheny County  
Crossing Shoulder Restor., Upgrade Channel  
& Signs

3 Separate Projects Awarded @ \$597,754.00 & 2 Rejected @ \$4,012,036.50

2b

1 128-244 340129A1 B00-029-P49-C573  
B015-029-1562.  
D949.D046  
AA.D-NH-44(082)

PRIMARY PROJECTS

From: 0.11 Mi. W. Telegraph Rd.  
To: Rte. 1 (Richmond Hwy.)  
Fairfax County  
Grade, Drain, Asp. Pav., Inlets, Signs,  
Signals, Util., Wetland Mitigation, Br. &  
Ditch, Str. (4)

AWARD THIS LAKE CONSTRUCTION CORPORATION 3 \$12,171,516.00  
MERRIDEN, CT

FOR AID CONTRACT	PROJECT NUMBER	RTE	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
2	149-94B 940149B9	0001-089-119,M501	From: 0.2 MI. N. Int. Rte. 624 To: 0.04 Mi. S. Int. Rte. 624	AWARD	A & W CONTRACTING CORP. LORTON, VA	4	\$164,758.50

PRIMARY PROJECTS

Stafford County  
Provide Left Turn La. on SBL Rte. 624

3	148-94A 940188A9	025B-114-110,C501	From: WCL Hampton To: I-64 Interchange	AWARD	HENRY S. BRANSCOME, INC. WILLIAMSBURG, VA	4	\$9,000,199.01
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City of Hampton  
Grade, Drain, Asp. Pavc., Incids., Signals,  
Landscaping, Signs & Utils.

2c

4	214-94A 940214A7	0060-072-V06,N501; 0060-072-V07,N501 STP-040-2(121); STP-040-2(122)	EBL & WBL Rtes. 60 & 622 AND WBL Rtes. 60 & 628	AWARD	APAC-VIRGINIA, INC. RICHMOND, VA	2	\$46,466.30
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Powhatan County  
Extend Left Turn Lanes



JOB DES. CONTRACT	PROJECT NUMBER	RTE	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
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**PRIMARY PROJECTS**

5	225-94A 94022A6	0003-111-107,CS03, B601,D605,D607	3	From: 0.15 Mi. E. All. Rte. 1 To: 0.031 Mi. W. Lafayette Blvd. City of Fredericksburg Grade, Drain, Asp. Pave., Incids., Drain. Sta., S.W.M., Signals, Utilis. & Br.	AWARD	BRANCH HIGHWAYS, INC. ROANOKE, VA	8	\$5,473,070.67
6	225-94A 94022A4	0050-029-829,N501; 0050-029-831,N503	50	From: Stringfellow Rd. To: Plaza Lane Fairfax County Grade, Drain, Asp. Pave., Signa, Signals, Incids. & Asp. Trail	AWARD	TAVARES CONCRETE CO., INC. LORTON, VA	2	\$669,304.50
7	3090 94109MSZ	55-76A-94	1 & 28	Various Locations Prince William County Shoulder Strengthening	AWARD	VA PAVING CO. (DIV. OF THE LANE CONSTR. CORP.) MERIDEN, CT	7	\$111,080.00

JOB #	CONTRACT #	PROJECT NUMBER	ROUTE	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
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PRIMARY PROJECTS

8	143-94B	940143B1	6007-051-F24,C501 NH-110-1(136)	7	WBL Rte. 7 to NDL Rte. 15 Loudoun County Extend Deccl. La. -Grade, Drain, Asp. Pave., Signs & Signals	REJECT	TAVARES CONCRETE CO., INC. LORTON, VA	3	\$463,139.40
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9	228-94A	940228A1	0005-018-V04,M501, M502 CM-1579(102); CM-082-1(107)	5	From: 0.128 Mi. W. Int. Rtes. 5, 106 & 156 To: 0.139 Mi. E. Int. Rtes. 5, 106 & 156 Charles City County Grade, Drain & Asp. Pave.	REJECT	BLAKEMORE CONSTR. CORP. RICHMOND, VA	3	\$230,109.20
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7 Primary Projects Awarded @ \$27,592,198.08 & 2 Rejected @ \$693,248.60

URBAN PROJECTS

1	183-94A	940183A4	U000-228-103,M501, D601		From: 0.011 Mi. E. Int. 6th St. To: 0.313 Mi. E. Int. 6th St. Town of Crofton Grade, Drain, Str., Asp. Pave. & Utilis.	AWARD	BURLEIGH CONSTRUCTION CO., INC. CONCORD, VA	4	\$382,789.60
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JOB DES	CONTRACT	PROJECT NUMBER	RT#	LOCATION	RECOMMEND	CONTRACTOR	NO OF BIDS	LOW BID
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Z	227-94A	940227A2	156	From: Arlington Rd. To: Westover Ave.	REJECT	B. P. SHORT & SON PAVING CO., INC. PETERSBURG, VA	1	\$168,825.70
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City of Hopewell  
Turn Lanes, Extended & New (6 Locations)

1 Urban Project Awarded @ \$382,789.60 & 1 Rejected @ \$168,825.70

SECONDARY PROJECTS

1	125-94B	940125B3	623	From: 0.119 Mi. E. SCL Pembroke To: 0.219 Mi. W. SCL Pembroke	AWARD	BRANCH HIGHWAYS, INC. ROANOKE, VA	3	\$2,465,543.80
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Gilias County  
Grade, Drain, Asp. S.T. & Br.

Z	187-94A	940187A0	614	From: Ric. 58 E To: 0.4 Mi. E. Ric. 58	AWARD	ELK KNOB, INC. PENNINGTON GAP, VA	4	\$135,006.30
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Scott County  
Grade, Drain & Asp. S.T. Pave.

JOB, DES CONTRACT	PROJECT NUMBER	RTE	LOCATION	RECOMMEND	CONTRACTOR	NO OF BIDS	LOW BID
		NO					

SECONDARY PROJECTS

3	206-94A 940205A7	628	From: Rte. 614 To: 0.7 MI. W. Rte. 614 Russell County Grade, Drain & Asp. Pave.	AWARD	J & J CONTRACTORS, INC. VANSANT, VA	5	\$150,716.45
4	207-94A 940207A6	640	From: Rte. 720 To: Rte. 696 Wythe County Grade, Drain & Asp. S.T. Pave.	AWARD	FORT CHISWELL CONSTRUCTION CORP. MAX MEADOWS, VA	4	\$427,679.83
5	208-94A 940208A5	678	From: Rte. 673 To: Rte. 680 Scott County Grade, Drain & Asp. S.T. Pave.	AWARD	PATRICK CONSTRUCTION, INC. ST. PAUL, VA	7	\$216,663.40

JOB DES. CONTRACT	PROJECT NUMBER	ROUTE	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
6	210-94A 940210A1 0646-025-393,N501	646	From: Rte. 646 To: End of State Maintenance Dickenson County Grade, Drain, Slab. with Aggr. Base Mat'l.	AWARD	J & J CONTRACTORS, INC. VANSANT, VA	3	\$61,939.50
7	211-94A 940211A0 0640-071-280,M501 STP-416(104)	640	From: 0.138 MI. N. Rte. 825 To: 0.651 MI. N. Rte. 825 Pittsylvania County Grade, Drain, Asp. Pave. & Incls.	AWARD	MARSHALL CONSTRUCTION CO., INC. DANVILLE, VA	4	\$460,557.40
8	212-94A 940212A9 0682-041-248,C501 STP-435(101)	682	From: Int. Rte. 659 To: 1.223 MI. W. Int. Rte. 659 Halifax County Grade, Drain & Asp. Pave.	AWARD	D. S. NASH CONSTR. CO. APPOMATTOX, VA	5	\$488,740.21

SECONDARY PROJECTS

From: Rte. 646  
To: End of State Maintenance  
Dickenson County  
Grade, Drain, Slab. with Aggr. Base Mat'l.

2h

JOB ID	CONTRACT NO.	PROJECT NUMBER	ROUTE NO.	LOCATION	RECOMMENDATION	CONTRACTOR	NO. OF BIDS	LOW BID
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SECONDARY PROJECTS

9	216-94A	940216A5	0640-083-5301	640	From: Int. 653 To: 0.72 Mi. W. Int. 653 Russell County Grade, Drain & App. Pave.	AWARD	CLECO CORPORATION ROSEDALE, VA	4	\$174,562.05
10	217-94A	940217A4	0700-038-P65,N501	700	From: 1.25 Mi. SW Ric. 721 To: N. Ric. 702 Grayson County Grade, Drain & App. S.T. Pave.	AWARD	JAMES R. VANNOY & SONS CONSTR. CO., INC. JEFFERSON, NC	4	\$287,298.70
11	219-94A	940219A2	0608-088-225,C301, C503 STP-1770(105)	608	From: 0.167 Mi. W. Int. Ric. 1 To: 0.241 Mi. W. Int. Ric. 628 Spotsylvania County Realignment: Grade, Drain, App. Pave., Incids. & Reloc. Int. 639	AWARD	STANLEY CONSTR. CO., INC. ASHLAND, VA	3	\$720,009.84

JOB DES CONTRACT	PROJECT NUMBER	RTE	LOCATION	RECOMMEND	CONTRACTOR	NO OF BIDS	LOW BID
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SECONDARY PROJECTS

12	220-94A	940220A9	0613-026-231,M502	613	From: 0.073 Mi. W. Int. Rte. 661 To: 0.038 Mi. W. Int. Rte. 631	AWARD	BISHOP & SETTLE CONSTR. CO., INC. ALBERTA, VA	4	\$624,889.20
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Dinwiddie County  
Grade, Drain & Asp. Pave.

13	226-94A	940226A3	0646-097-7202,431	646	From: 0.27 Mi. W. Int. Rte. 648 To: 0.279 Mi. E. Int. Rte. 648	AWARD	B. F. ROBINETTE CONTRACTOR, INC. NORTON, VA	6	\$855,715.60
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Wise County  
Slide Correction

14	2967	94G967T3	0618-033-P61,N501	618	From: Rte. 460 To: Rte. 686	AWARD	DLB, INC. HILLSVILLE, VA	3	\$240,679.75
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Giles County  
Grade, Drain, Pave. & Incida.

JOB NO.	CONTRACT NO.	PROJECT NUMBER	ROUTE NO.	LOCATION	SECTION	CONTRACTOR	NO. OF BIDS	AWARD	AMOUNT
15	3004	94H004T6	0690-010-171, NS01	690	From: Rte. 61 To: 0.42 Mi. S.E. Rte. 61 Blind County Grade, Drain, Sub. & Bl. S.C.	HUNTER PAVING, INC. POUNDRING MILL, VA	3	AWARD	\$97,155.73
16	3021	94H091S1	0619-076-6083, SR01; 0663-076-6038, SR01	619 & 663	Rte. 619 over Broad Run; Rte. 663 over Occoquan Rv. Prince William County Stephane Prestressed Box Beams & Balltop. Realign Bearing & Prepare & Spot Paint Beam Ends	DONALD H. SELVAGE, INC. AMHERST, VA	4	AWARD	\$162,189.00
17	31-94A	940031A7	0643-083-136, C305 STP-277(104)	645	From: 0.459 Mi. W. of W. Int. Rte. 651 To: 0.318 Mi. W. of SCL Hunker Russell County Grade, Drain & App. Pave.	R. S. JONES & ASSOCIATES, INC. ABINGDON, VA	5	REJECT	\$1,392,062.00



JOB DES. CONTRACT NO.	PROJECT NUMBER	ROUTE NO.	LOCATION & HOW TO GET THERE	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
18 209-94A 940209A4	0643-092-6242.SR02; 0643-092-6243.SR01	643	<u>SECONDARY PROJECTS</u> Rte. 643 over N&W Rwy. (Int. Rte. 102) AND Rte. 643 over Ellestone Rv. (0.15 MI. E. Int. Rte. 102) Tazewell County Br. Deck Replacement, Hyd. Const. Overlay & Substr. Repr. (2 Brs.)	REJECT	W. C. ENGLISH, INC. LYNCHBURG, VA	5	\$368,827.00
19 224-94A 940224A3	0649-076-294.M501. B638 BR05-076(10B)	649	From: 0.3 MI. N. Rte. 648 To: 0.19 MI. S. Rte. 709 Prince William County Br. & Approaches	REJECT	MOORE BROS. CO., INC. VERONA, VA	4	\$319,000.00
20 3086 94H086S8	0674-035-P62.N501	674	From: 0.87 MI. S. Rte. 637 To: 0.41 MI. S. Rte. 637 Giles County Grade, Drain, Pave & Incids.	REJECT	J & D CONSTR. CO., INC. HILLSVILLE, VA	3	\$97,298.35

JOB/DESIGN CONTRACT	PROJECT NUMBER	ROUTE NO.	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
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SECONDARY PROJECTS

21	3098	94H09854	0623-029-6230,SR01	623	From: 0.10 Mi. S. Rte. 624 To: 0.05 Mi. N. Rte. 6988 Fairfax County Supernr. Replace., Rte. 623 over Dogue Cr.	REJECT	BURLINGHAM CONSTRUCTION CO., INC. CONCORD, VA	2	\$126,750.00
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22	3100	94H10030	0612-088-6075,SR01; 0614-030-6918,SR01; 0627-089-6027,SR01; 0638-016-6029,SR01	Var.	Various Locations Bowling Green & Fredericksburg Rds. Br. Deck Repts. & Latex or Silica Fume Hydraulic Cement Concrete Overlay (4 Bids.)	REJECT	DONALD H. SELVAGE, INC. AMHERST, VA	4	\$186,914.00
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16 Secondary Projects Awarded @ \$7,569,146.78 & 5 Rejected @ \$2,490,832.25

MISCELLANEOUS PROJECTS

1	205-94A	940205A8	GR-1D-94	Var.	Various Locations in Dickerson & Wise Co's, Bristol District Guardrail Safety Proj.	AWARD	PENN LINE SERVICE, INC. SCOTTSDALE, PA	4	\$234,665.00
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JOB DES CONTRACT	PROJECT NUMBER	RTE	LOCATION	RECOMMEND	CONTRACTOR	NO OF BIDS	LOW BID
		NO	WORK TYPE				
<b>MISCELLANEOUS PROJECTS</b>							
2	Z51-94A 940231A6	Var.	Various Locations Bristol District	AWARD	SELCO SEEDING, INC. SWORDS CREEK, VA	5	\$19,410.00
			Scenic Enhancement - Wildflower Planting				
3	Z61-94A 940261A9	Var.	Various Locations Northem Va. District	AWARD	ACCENT STRIPE, INC. ORCHARD PARK, NY	2	\$358,253.24
			Install All-Weather Pavc. Markings				
4	Z355 940855U6	Var.	Various Locations Franklin & Suffolk Res. AND Accomack & York Co's.	AWARD	CLECO CORPORATION ROSEDALE, VA	4	\$2,471,007.00
			Repoint Exist. Steel Strs. (11 Bns.) Prepare & Paint Extn. Steel Strs. (7 Bns.)				

JOB NO.	CONTRACT NO.	PROJECT NUMBER	RTE NO.	LOCATION	RECOMMENDATION	CONTRACTOR	NO. OF BIDS	LOW BID
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MISCELLANEOUS PROJECTS

5	2980	94C98076	CC00-968-055, N501; CC00-968-056, N501	Var. Various Locations Clarke, Frederick, Page & Shenandoah Co's. Install Curb Out Ramps	AWARD	GULL CORPORATION LEESBURG, VA	4	\$87,282.00
6	2993	94C99371	RPM-8-94; PRMO-968-101, N506; IRMO-968-101, N506	Var. Various Locations Staunton District Install/Replace Snowplowable Raised Pavement Markers	AWARD	BARBOUR COMPANY LEBANON, OH	6	\$91,858.86
7	2998	94C99876	CC00-968-053, N502	Var. Spot Locations Augusta & Highland Co's. Install Curb Out Ramps	AWARD	CHESAPEAKE CONTRACTORS, INC. RICHMOND, VA	4	\$31,105.00



NO.	ACTIVITY	DATE	LOC.	REMARKS	AWARD	BY	DATE
1	WARREN	1944	VA.	Various Locations Marine Hospital Food Sign Post Maintenance	AWARD	L. A. LEE, RMC, RECHAMOND, VA	
2	WARREN	1944	VA.	Various Locations Africa Military Camp Coastal Maintenance	AWARD	L. A. LEE, RMC, RECHAMOND, VA	1944-12-31
3	WARREN	1944	VA.	Coastal Work, Sign Location Picnic Without Camp Small Con. Col. Temple, Barracks at Camp A Cable Signs	AWARD	PORT ARTHUR CONSTRUCTION CORPORATION WASHINGTON, D.C.	1944-12-31

JOB NO.	CONTRACT NO.	PROJECT NUMBER	RTE NO.	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
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MISCELLANEOUS PROJECTS

11	3087	94H08757	PCR-8A-94	Var.	Various Locations Rockingham County Pipe Culvert Rehab. Methods A, C, D or E	AWARD DLB, INC. HILLSVILLE, VA	2	\$170,807.50
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12	3088	94H08856	SGN-5B-94	Var.	Various Locations Suffolk District Overlay Highway Traffic Guide Signs	AWARD DORRY ELECTRIC CO. NORFOLK, VA	4	\$38,273.40
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2q

13	3089	94H08953	PM-6-95	1 & 208	Various Locations Spotsylvania County Thermoplastic Pav. Mark. Schedule	AWARD OGLESBY CONSTRUCTION, INC. NORWALK, OH	4	\$52,364.46
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BIDS RECEIVED: SEPTEMBER 21, 1994

LOT OR CONTRACT NO.	PROJECT NUMBER	FILE NO.	LOCATION	DEPARTMENT	CONTRACTOR	NO. OF BIDS	LOW BID
3092	94H09250	SS-76B-04	MISCELLANEOUS PROJECTS Various Locations Prince William County Shoulder Strengthening	AWARD	VA PAVING CO. (DBA OF THE LANE CONSTR. CORP.) MERRIDEN, CT	2	\$135,640.00
3093	94H09339	Bp-7F-14	Various Locations Chilpeot District Deck Repr. & Pumping Station	AWARD	NELCO MANUFACTURING CORP. OKLAHOMA CITY, OK	4	\$99,450.00
3101	94H10159	BTR-1-04	Various Locations Buckingham, Conberlyne & Prince Edward Co's Brush & Tree Removal	AWARD	BURLICH CONSTRUCTION CO., INC. CONCORD, VA	3	\$230,800.45

JOB #	CONTRACT #	PROJECT NUMBER	DATE	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
17	2954	94G954T8 GRM-8A-94	Var.	Various Locations Stanton District Replace Substandard Guardrail	REJECT	APEX CONTRACTING, INC. PARIS, KY	2	\$2,260,784.40
18	2983	94G983T3 SCG-B-94	Var.	Various Locations Rockingham County Replace Sidewalk, Curb & Gutter & Drain. Items	REJECT	DLB, INC. HILLSVILLE, VA	1	\$148,811.00
19	3094	94H094S8 FE-6A1-94	Var.	Various Spot Locations Arlington, Fairfax & Prince William Co's. Fence Maintenance Schedule	REJECT	LONG FENCE CO., INC. CHANTILLY, VA	1	\$178,700.00

16 Miscellaneous Projects Awarded @ \$4,974,158.43 & 3 Rejected @ \$2,588,295.40



JOB #	CONTRACT	PROJECT NUMBER	RTE NO	LOCATION	RECOMMEND	CONTRACTOR	NO OF BIDS	LOW BID
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**BIDS RECEIVED AUGUST 24, 1994**

**SECONDARY PROJECTS**

1	3046	94H04657	0613-093-6009	613	Over Brown Hollow Run, 1.52 MI. E. Rte. 630 Warren County	RESCIND AWARD	L. F. FRANKLIN & SONS, INC. STEPHENSON, VA	5	\$142,578.50
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Remove Exist. Str. & Replace W/Pipe-Cast Box  
Culvert

2	3051	94H05159	2005-076-6136 SR01	2005	Br. over Little Bull Run(0.01 MI. From Rte. 234) Prince William County	RESCIND AWARD	RIVER VIEW INVESTMENTS, INC. MADISON, VA	9	\$69,107.20
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Br. Reprs. & Overlay

2t

3	3046	94H04657	0613-093-6009	613	Over Brown Hollow Run, 1.52 MI. E. Rte. 630 Warren County	REJECT	L. F. FRANKLIN & SONS, INC. STEPHENSON, VA	5	\$142,578.50
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Remove Exist. Str. & Replace W/Pipe-Cast Box  
Culvert

JOB NO.	CONTRACT PROJECT NUMBER	DATE	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
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BIDS RECEIVED AUGUST 24, 1994

SECONDARY PROJECTS

4	3051	94H05159	2005-076-6(136,SR01)	2005	Br. over Little Bush Run (0.83 MI. From Rte. 234)		
					Prince William County		
					Br. Repairs & Overlay		
				REJECT	RIVER VIEW INVESTMENTS, INC. MADISON, VA	9	\$69,107.20

BIDS RECEIVED SEPTEMBER 15, 1994

INTERSTATE PROJECT

1	E-10	94ED10A2	EM-5A-94	1-664	Route 1-664 over the James River Cliffs of Suffolk & Newport News Emergency Bridge Repairs to Northbound Traffic		
				AWARD	TIDEWATER CONSTRUCTION CORP. NORFOLK, VA	1	FORCE ACCOUNT

20

BIDS RECEIVED AUGUST 24, 1994

MISCELLANEOUS PROJECT

1	2959	94O959T3	P-4-94	Var.	Various Locations Highwood District Repair/Exist. Steel Structures		
				REJECT	CORCON, INC. LOWELLVILLE, OH	2	\$1,881,875.00

JOB OR CONTRACT	PROJECT NUMBER	ROUTE	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
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BIDS RECEIVED AUGUST 18, 1994

JOB OR CONTRACT	PROJECT NUMBER	ROUTE	LOCATION	RECOMMEND	CONTRACTOR	NO. OF BIDS	LOW BID
			<u>MISCELLANEOUS PROJECT</u>				
1	IFB-483-BB	Var.	Various State & Private Roads Fauquier County Furnish & Install Street Signs	RESCIND	TRANSP. SAFETY CONTRS. OF VA., INC. CHESAPEAKE, VA	3	\$197,505.00
1	IFB-483-BB	Var.	Various State & Private Roads Fauquier County Furnish & Install Street Signs	REJECT	TRANSP. SAFETY CONTRS. OF VA., INC. CHESAPEAKE, VA	3	\$197,505.00

10-11-94

Moved by Mr. Roudabush, seconded by  
Mrs. Lionberger, that

WHEREAS, in accordance with its needs and schedules for implementing its program objectives of maintenance and repair of structures, the Department has determined that in order to perform the necessary activities to meet those objectives for engineering services on projects located in Region I consisting of Bristol, Salem and Lynchburg Districts, it is necessary to supplement its Districts' staff; and

WHEREAS, maintenance and repair project plans are normally prepared in districts and the agreement will be used for projects on very short time schedules and for which sufficient inhouse manpower is not available; and

WHEREAS, in accordance with Department Policy and State Procurement procedures a contingency agreement for Region I is being entered into with Hayes Seay Mattern & Mattern, Inc. to perform the engineering services for a two year period; and

WHEREAS, careful review and consideration has been made of the scope of work and services required and hourly rates by classification, overhead rate, direct reimbursable expenses and profit have been established for these services and are set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes the execution of the Contingency Maintenance and Repair Agreement with the firm of Hayes Seay Mattern & Mattern, Inc. for Region I, which establishes a maximum total compensation not to exceed \$3,000,000.

Motion carried.

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Moved by Mr. Roudabush, seconded by  
Mrs. Lionberger, that

WHEREAS, in accordance with its needs and schedules for implementing its program objectives of maintenance and repair of structures, the Department has determined that in order to perform the necessary activities to meet those objectives for engineering services on projects located in Region II consisting of Richmond, Suffolk and Fredericksburg Districts, it is necessary to supplement its Districts' staff; and

10-11-94

WHEREAS, maintenance and repair project plans are normally prepared in districts and the agreement will be used for projects on very short time schedules and for which sufficient inhouse manpower is not available; and

WHEREAS, in accordance with Department Policy and State Procurement procedures a contingency agreement for Region II is being entered into with Greiner, Inc. to perform the engineering services for a two year period; and

WHEREAS, careful review and consideration has been made of the scope of work and services required and hourly rates by classification, overhead rate, direct reimbursable expenses and profit have been established for these services and are set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes the execution of the Contingency Maintenance and Repair Agreement with the firm of Greiner, Inc. for Region II, which establishes a maximum total compensation not to exceed \$3,000,000.

Motion carried.

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Moved by Mr. Roudabush, seconded by Mrs. Lionberger, that

WHEREAS, in accordance with its needs and schedules for implementing its program objectives of maintenance and repair of structures, the Department has determined that in order to perform the necessary activities to meet those objectives for engineering services on projects located in Region III consisting of Staunton, Culpeper and Northern Virginia Districts, it is necessary to supplement its Districts' staff; and

WHEREAS, maintenance and repair project plans are normally prepared in districts and the agreement will be used for projects on very short time schedules and for which sufficient inhouse manpower is not available; and

WHEREAS, in accordance with Department Policy and State Procurement procedures a contingency agreement for Region III is being entered into with T. Y. Lin International to perform the engineering services for a two year period; and

10-11-94

WHEREAS, careful review and consideration has been made of the scope of work and services required and hourly rates by classification, overhead rate, direct reimbursable expenses and profit have been established for these services and are set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board authorizes the execution of the Contingency Maintenance and Repair Agreement with the firm of T. Y. Lin International for Region III, which establishes a maximum total compensation not to exceed \$3,000,000.

Motion carried.

\*\*\*

Moved by Mr. Roudabush, seconded by Mrs. Lionberger, that

WHEREAS, the Department currently has a Memorandum of Agreement with the firm of Parsons Brinckerhoff Quade and Douglas, Inc., and it has been determined that a change in the scope of services is necessary to provide for additional geotechnical, survey and design services on projects:

6017-036-115, PE102, B604  
6017-099-114, PE102, RW202, C502  
0017-027-1946, Act.462  
6017-036-115, PE103, RW203, C503  
6017-036-115, PE104, C504

WHEREAS, after careful review of the additional services required, a firm proposal has been received and just compensation for these additional services has been established and are outlined in this Supplemental Agreement No. 2.

NOW, THEREFORE, BE IT RESOLVED that the Board authorize the execution of this Supplemental Agreement and it shall become a part of the original agreement which currently has a maximum compensation of \$8,659,819.11.

10-11-94

The Supplemental Agreement No. 2 is in the amount of \$890,153.00 for services and expenses plus a net fee of \$45,476.00 making the total for this supplement \$935,629.00. The total maximum compensation of the agreement including this and all prior supplements is now \$9,595,448.11.

Motion carried.

\*\*\*

Moved by Mr. Roudabush, seconded by Mrs. Lionberger, that

WHEREAS, the Department currently has a Memorandum of Agreement with the firm of Hayes, Seay, Mattern & Mattern, Inc., and it has been determined that a change in the scope of services is necessary to redesign and revise plans to shift roadway alignments away from Bone Cove, revise mainline shoulder pavement and typical section and re-evaluate stormwater management for conformance with new criteria, for Project 0058-052-E19, PE-101, C-501, from 0.059 mile east of Route 879 to 0.076 mile west of Route 667 located in Lee County; and

WHEREAS, after careful review of the additional services required, a firm proposal has been received and just compensation for these additional services has been established and is outlined in this Supplemental Agreement No. 4.

NOW, THEREFORE, BE IT RESOLVED that the Board authorize the execution of this Supplemental Agreement and it shall become a part of the Original Agreement and Supplemental Agreements No. 1 through No. 3, which currently have a maximum compensation of \$823,585.00.

This Supplemental Agreement No. 4 is in the amount of \$40,888.00 for services and expenses, plus a net fee of \$4,803.00 making the total for this supplement \$45,691.00. The total maximum compensation of the agreement including this supplement is now \$869,276.00.

Motion carried.

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10-11-94

Moved by Mr. Rich, seconded by Mr. Newcomb, that action on the consultant agreement for Route 81, Botetourt and Montgomery Counties (Supplemental Agreement # 6 for revision in scope of services) with Austin Brockenbrough and Associates be deferred until the November meeting.

Motion carried.

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Moved by Mr. Roudabush, seconded by Mrs. Lionberger, that

WHEREAS, the Department currently has a Memorandum of Agreement with the firm of KCI Technologies, Inc. (formerly Kidde Consultants, Inc.), and it has been determined that a change in the scope of services is necessary to update the plans to meet current design standards and criteria since these projects were placed on hold in 1990, for project 0100-077-105, PE-102, PE-103, 0100-035-105, PE-106; and

WHEREAS, after careful review of the additional services required, a firm proposal has been received and just compensation for these additional services has been established and is outlined in this Supplemental Agreement No. 6.

NOW, THEREFORE, BE IT RESOLVED that the Board authorize the execution of this Supplemental Agreement and it shall become a part of the Original Agreement which currently have a maximum compensation of \$1,590,864.46.

This Supplemental Agreement No. 6 is in the amount of \$16,490.46 for services and expenses plus a net fee of \$1,896.40 making the total for this supplement \$18,386.86. The total maximum compensation of the agreement including this and all prior supplements is now \$1,609,251.32.

Motion carried.

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10-11-94

Moved by Mr. Roudabush, seconded by  
Mrs. Lionberger, that

WHEREAS, the Department currently has a Memorandum of Agreement with the firm of Austin Brockenbrough and Associates, and it has been determined that a change in the scope of services is necessary for engineering services for complete right of way and construction plans for project: 0252-132-V01, PE-101; and

WHEREAS, after careful review of the additional services required, a firm proposal has been received and just compensation for these additional services has been established and is outlined in this Supplemental Agreement No. 4.

NOW, THEREFORE, BE IT RESOLVED that the Board authorize the execution of this Supplemental Agreement and it shall become a part of the Original Agreement and previous Supplemental Agreement, which currently has a maximum compensation of \$423,583.00.

This Supplemental Agreement No. 4 is in the amount of \$88,174.00 for services and expenses, plus a net fee of \$10,440.00, making the total for this supplement \$98,614.00. The total maximum compensation of the agreement including this and all prior supplements is now \$522,197.00.

Motion carried.

\*\*\*

Moved by Mr. Roudabush, seconded by  
Mrs. Lionberger, that

WHEREAS, in accordance with its needs and schedules for implementing its program objectives, the Department has determined that in order to perform the necessary activities to meet those objectives for providing construction inspection services for project: 6460-073-F12, C-501, B-607, B-608, located in Lynchburg District, Prince Edward County, it is necessary to supplement its staff; and

WHEREAS, in accordance with the Department Policy and State Procurement procedures a firm proposal has been received from Rummel, Klepper & Kahl; and

10-11-94

WHEREAS, careful review and consideration has been made of the scope of work and services required and just compensation has been established for these services and is set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board authorize the execution of the Agreement with the firm of Rummel, Klepper & Kahl, which establishes a compensation of \$442,793.00 for services, expenses, plus a net fee of \$27,188.00 making the maximum total compensation not to exceed \$469,981.00.

Motion carried.

\*\*\*

Moved by Mr. Roudabush, seconded by Mrs. Lionberger, that

WHEREAS, the Department has determined the need to supplement the original inspection services contract for the Richmond CBD Signal System in the City of Richmond; and

WHEREAS, in accordance with Department policies, a firm proposal has been received from the consulting firm of Frederic R. Harris, Inc. of Fairfax, Virginia for continued inspection and support services for the Richmond CBD Signal System. This work will be funded under Projects: U000-127-122, C-501 and U000-127-123, C-501; and

WHEREAS, careful consideration has been made of these required services and just compensation for same as established and set forth in the Memorandum of Agreement.

NOW, THEREFORE, BE IT RESOLVED that the Board authorize the execution of Supplemental Agreement No. 4 with Frederic R. Harris, Inc. not to exceed \$51,638.58. The total maximum compensation of the agreement is now \$1,066,711.89.

Motion carried.

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10-11-94

Moved by Mr. Roudabush, seconded by Mrs. Lionberger, that

WHEREAS, in accordance with Department policy, a firm proposal has been received from the consulting firm of Parsons Brinckerhoff Quade and Douglas, Inc., Herndon, Virginia, for the preparation of a First Tier Final Environmental Impact Study of a Western Washington Bypass. This work is identified as:

Washington Bypass Study

From: Stafford County, Virginia  
To : Frederick, Maryland

Project: R000-966-102, PE100  
R000-96A-101, PE100; and

WHEREAS, the highly specialized nature of the analysis and the schedule time for completing this study requires augmentation of the Department's staff; and

WHEREAS, careful consideration has been made of these required services and just compensation for same as established and set forth in the agreement.

NOW, THEREFORE, BE IT RESOLVED that the Commonwealth Transportation Board authorize the execution of an agreement with Parsons Brinckerhoff Quade and Douglas, Inc., that establishes a maximum total compensation not to exceed \$1,644,053 which includes a net fee of \$132,166.

Motion carried.

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Moved by Mr. Waldman, seconded by Dr. Thomas, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Design Public Hearing was held in the Herndon Senior High School, Herndon, Virginia, on May 26, 1994, between 4:00 P.M. and 8:00 P.M. for the purpose of considering the proposed major design features of the Herndon Parkway from the intersection of Dranesville Road to the intersection of Crestview Road in the Town of Herndon, State Project U000-235-V05, PE-101, RW-201, C-501, B-603, B-605; Federal Project M-5401 ( ); and

10-11-94

WHEREAS, proper notice was given in advance, and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded; and

WHEREAS, the economic, social, and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE, BE IT RESOLVED that the major design features of this project be approved in accordance with the plan as proposed and presented at the said Design Public Hearing by the Department's Engineers, with consideration given in the final design phase to the requests for traffic signals, noise walls, and privacy fences, if construction of such is warranted by policy.

Motion carried.

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Moved by Mr. Newcomb, seconded by Mr. Barton, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Combined Location and Design Public Hearing was held in the Washington and Lee High School, Montross, Virginia, on July 27, 1994, between 4:00 P.M. and 8:00 P.M. for the purpose of considering the proposed location and major design features of Route 3 from 1.081 miles east of Route 202Y (relocated) to 0.275 mile east of the East Corporate Limits of the Town of Montross, in Montross, Virginia, State Project 0003-096-V14, PE-101, RW-201, C-501; Federal Project STP-088-1 ( ); and

WHEREAS, proper notice was given in advance, and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded; and

10-11-94

WHEREAS, the economic, social, and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE, BE IT RESOLVED that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said Location and Design Public Hearing by the Department's Engineers, with modifications in the final design phase to consider crossovers as requested, and the elimination of the cul-de-sac on the north end of Route 202.

Motion carried.

\*\*\*

Moved by Mr. Newcomb, seconded by Mr. Barton, that

WHEREAS, in accordance with the statutes of the Commonwealth of Virginia and policies of the Commonwealth Transportation Board, a Combined Location and Design Public Hearing was held in the Dorchester Community Center in Norton, Virginia, on July 12, 1994, between 4:00 P.M. and 7:00 P.M. for the purpose of considering the proposed location and major design features of Route 621 from 0.21 mile north of Route 610 to 0.79 mile north of Route 610 in Wise County, State Project 0621-097-289, C-501; and

WHEREAS, proper notice was given in advance, and all those present were given a full opportunity to express their opinions and recommendations for or against the proposed project as presented, and their statements being duly recorded; and

WHEREAS, the economic, social, and environmental effects of the proposed project have been examined and given proper consideration, and this evidence, along with all other, has been carefully reviewed.

NOW, THEREFORE, BE IT RESOLVED that the location and major design features of this project be approved in accordance with the plan as proposed and presented at the said Location and Design Public Hearing by the Department's Engineers.

Motion carried.

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10-11-94

Moved by Mr. Myers, seconded by Mr. Roudabush,  
that

WHEREAS, in connection with Route 8, State Highway Project 0008-031-102, RW-202, the Commonwealth acquired certain lands from Lou S. Gallimore by instrument dated May 16, 1978, recorded in Deed Book 125, Page 16 in the Office of the Clerk of the Circuit Court of Floyd County; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the parcel of land containing approximately 0.05 acre, more or less, and lying in the northeast quadrant of Route 8 and Route 705, from a point approximately 55 feet opposite approximate Station 269+52 (Route 8 centerline) to a point approximately 104 feet opposite approximate Station 270+08 (Route 8 centerline) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System; and

WHEREAS, the adjacent landowner's well encroaches upon Virginia Department of Transportation's right of way; and

WHEREAS, in order to eliminate the encroachment the landowner has requested that the excess right of way be conveyed to him.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of the said land, so certified, to the adjoining landowners is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

Motion carried.

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10-11-94

Moved by Mr. Myers, seconded by Mr. Roudabush,  
that

WHEREAS, in connection with Route 29, State Highway Project 0029-056-103, RW-201, the Commonwealth acquired certain lands from Robbie B. Jeffries by instrument dated March 8, 1967, recorded in Deed Book 91, Page 296, in the Office of the Clerk of the Circuit Court of Madison County; and

WHEREAS, a section of old Route 29 was abandoned by the Board of Supervisors of Madison County at its meeting on February 28, 1994, and approved by the Commonwealth Transportation Board effective June 28, 1994; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that a portion of the lands so acquired lying north of and adjacent to the north right of way limits on Route 29, from a point approximately 45 feet opposite approximate Station 1812+85 (Route 29 SBL centerline) to a point approximately 45 feet opposite approximate Station 1816+15 (Route 29 SBL centerline), containing 0.2594 acre, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the State Highway System; and

WHEREAS, the Virginia Department of Transportation needs land from Vavin Limited Partnership, the adjacent landowner, for improvements on Route 631 located in Madison County; and

WHEREAS, the adjacent landowner has requested that the excess right of way be exchanged for the land needed.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, the conveyance of said lands, so certified, to the adjacent landowner of record is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed conveying same for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

Motion carried.

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10-11-94

Moved by Mr. Myers, seconded by Mr. Roudabush,  
that

WHEREAS, in connection with Route 615, State Highway Project 0615-076-P28, N-501, the Commonwealth acquired certain lands from Gainesville Ruritan Club, Inc., by deed dated June 29, 1991, recorded in Deed Book 1841, Page 1021, in the Office of the Clerk of the Circuit Court of Prince William County; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land shown as Parcel B on plat entitled "Plat Showing Right of Way Dedication on the Property of Gainesville Ruritan Club, Gainesville Magisterial District, Prince William County, Virginia" dated August 1, 1991, containing 0.31 acre, more or less, was acquired incidental to the construction, reconstruction, alteration, maintenance and repair of Route 615 and does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways; and

WHEREAS, the adjoining landowner has requested that the surplus right of way be conveyed.

NOW, THEREFORE, the conveyance of the said land, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, is approved and the Commonwealth Transportation Commissioner is hereby authorized to execute in the name of the Commonwealth a deed, without warranty, conveying same to the adjacent landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

Motion carried.

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Moved by Mr. Myers, seconded by Mr. Roudabush,  
that

WHEREAS, in connection with Route 640 (Minnieville Road), the Commonwealth acquired a temporary slope construction and maintenance easement from Cecil D. Hylton and Irene V. Hylton by Deed of Dedication, Subdivision and Easement, dated August 29, 1983, recorded in Deed Book 1232, Page 207, in the Office of the Clerk of the Circuit Court of Prince William County; and



10-11-94

WHEREAS, the need for the temporary slope construction and maintenance easement was eliminated by the construction and improvements on the Colonial Self Storage property; and

WHEREAS, Colonial Self Storage, owner of the underlying fee, has asked that the temporary easement be vacated and conveyed in order to remove the cloud on its title; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the temporary slope construction and maintenance easement shown on a survey plat entitled: Plat, showing various easements on Parcel "C", a portion of the land of Cecil D. Hylton at the southerly intersection of Minnieville Road (Route 640) and Dale Boulevard (Route 784), Neabsco Magisterial District, Prince William County, Virginia, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, the Commonwealth Transportation Commissioner is hereby authorized to execute a deed, without warranty, in the name of the Commonwealth conveying the temporary easement, so certified, to the owner of the underlying fee title for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

Motion carried.

\*\*\*

Moved by Mr. Myers, seconded by Mr. Roudabush,  
that

WHEREAS, in connection with Route 648, State Highway Project 0648-029-119, C-501, the Commonwealth acquired a permanent drainage easement from Drug Fair, Inc., a Maryland Corporation, by instrument dated April 9, 1980, recorded in Deed Book 5429, Page 1204, in the Office of the Clerk of the Circuit Court of Fairfax County; and

10-11-94

WHEREAS, according to new approved site plans the existing drainage facilities for the permanent easement are no longer needed; and

WHEREAS, the owner of the underlying fee title has requested that the Commonwealth convey the permanent drainage easement, so acquired, in order to more fully develop the adjacent land; and

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the 10 x 15 foot drainage easement lying opposite approximate Station 135+35 (centerline Route 648, Project 0648-029-119, C-501), containing approximately 150 square feet, more or less, does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, the Commonwealth Transportation Commissioner is hereby authorized to execute a deed, without warranty, in the name of the Commonwealth conveying the permanent easement, so certified, to the owner of the underlying fee title for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

Motion carried.

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Moved by Mr. Myers, seconded by Mr. Roudabush, that

WHEREAS, the Commonwealth is the apparent owner of old Route 657 located in Amherst County; and

WHEREAS, under Project 0657-005-123, C-502, Route 657 was relocated and the new location serves the same citizens as the old location; and

WHEREAS, in accordance with Section 33.1-155 of the Code of Virginia (1950), as amended, a section of old Route 657 was abandoned by the Board of Supervisors of Amherst County by resolution dated December 21, 1993; and

10-11-94

WHEREAS, the Commonwealth Transportation Commissioner has certified in writing that the land containing approximately 0.796 acre, more or less, and comprising a portion of abandoned Route 657, from a point approximately 95.5 feet opposite approximate Station 25+14.5 (Route 657 centerline, Project 0657-005-123, C-502) to a point approximately 73 feet opposite approximate Station 37+00 (Route 657 centerline, Project 0657-005-123, C-502) does not constitute a section of the public road and is deemed by him no longer necessary for the uses of the Secondary System of State Highways; and

WHEREAS, Norfolk Southern Railway Company has requested that the surplus right of way be conveyed; and

WHEREAS, this conveyance will be in accordance with Agreement dated July 15, 1991, between the Railway Company and the Commonwealth of Virginia.

NOW, THEREFORE, in accordance with the provisions of Section 33.1-154 of the Code of Virginia (1950), as amended, the conveyance of said land, so certified, is hereby approved and the Commonwealth Transportation Commissioner is authorized to execute a quitclaim deed in the name of the Commonwealth conveying same to the adjoining landowner of record for a consideration satisfactory to the State Right of Way Engineer, subject to such restrictions as may be deemed appropriate.

Motion carried.

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Moved by Mr. Rhea, seconded by Dr. Thomas, that

WHEREAS, Section 33.1-223 of the Code of Virginia sets forth that the General Assembly of Virginia has found and declared that it is "...in the public interest that access roads and bikeways for public recreational areas and historical sites be provided..." reserves \$3,000,000 from highway funds for such purpose, and further provides that "The Commonwealth Transportation Board, with the concurrence of the Director of the Department of Conservation and Recreation, is hereby authorized to make regulations to carry out the provisions of this section."; and

10-11-94

WHEREAS, the Director of the Department of Conservation and Recreation and the Commonwealth Transportation Board have adopted a joint policy to govern the use of Recreational Access Funds pursuant to Section 33.1-223 of the code of Virginia; and

WHEREAS, the Hampton City Council has, by appropriate resolution, requested the use of Recreational Access Funds to provide adequate access to Sandy Bottom Nature Park, located off Big Bethel Road in the City of Hampton, and said access is estimated to cost \$125,000; and

WHEREAS, this request is being considered by the Director of the Department of Conservation and Recreation.

NOW, THEREFORE, BE IT RESOLVED that \$88,000 from the 1994-95 Fiscal Year Recreational Access Fund be allocated to construct the access road to Sandy Bottom Nature Park in the City of Hampton, Project 9999-114-001,M501, contingent upon

1. all necessary right of way, environmental assessments and mitigation, and utility adjustments being provided at no cost to the Commonwealth; and

2. the execution of an appropriate contractual agreement between City of Hampton (City) and the Virginia Department of Transportation to provide for:

- a. the design, administration, and construction, of this project.

- b. the City's payment of all ineligible project costs and all eligible project costs in excess of \$88,000.

3. the Director of the Department of Conservation and Recreation finding the Sandy Bottom Nature Park to be a public recreational area and recommending the construction of the aforementioned access road.

AND FURTHER, the project constructed in accordance with this resolution shall hereafter be known as a "Virginia Byway."

Motion carried.

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10-11-94

Moved by Mr. Rhea, seconded by Dr. Thomas, that

WHEREAS, Section 33.1-223 of the Code of Virginia sets forth that the General Assembly of Virginia has found and declared that it is "...in the public interest that access roads and bikeways for public recreational areas and historical sites be provided...", reserves \$3,000,000 from highway funds for such purpose, and further provides that "The Commonwealth Transportation Board, with the concurrence of the Director of the Department of Conservation and Recreation, is hereby authorized to make regulations to carry out the provisions of this section."; and

WHEREAS, the Director of the Department of Conservation and Recreation and the Commonwealth Transportation Board have adopted a joint policy to govern the use of Recreational Access Funds pursuant to Section 33.1-223 of the code of Virginia; and

WHEREAS, the Tazewell County Board of Supervisors has, by resolution, requested the use of Recreational Access Funds to provide adequate access to Tazewell Middle School Sports Complex, located off Route 9706 in Tazewell County, and said access is estimated to cost \$240,000; and

WHEREAS, this request is being considered by the Director of the Department of Conservation and Recreation.

NOW, THEREFORE, BE IT RESOLVED that \$240,000 from the 1994-95 Fiscal Year Recreational Access Fund be allocated to construct the access road to Tazewell Middle School Sports Complex in Tazewell County, Project 9706-092-523,M501, contingent upon

1. all necessary right of way, environmental assessments and mitigation, and utility adjustments being provided at no cost to the Commonwealth; and

2. the payment of ineligible project costs and of all project costs in excess of \$240,000 from sources other than those administered by the Department of Transportation; and

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3. the Director of the Department of Conservation and Recreation finding Tazewell Middle School Sports Complex to be a public recreational area and recommending the construction of the aforementioned access road.

AND FURTHER, the project constructed in accordance with this resolution shall hereafter be known as a "Virginia Byway."

Motion carried.

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Moved by Mr. Rhea, seconded by Dr. Thomas, that

WHEREAS, Section 33.1-223 of the Code of Virginia sets forth that the General Assembly of Virginia has found and declared that it is "...in the public interest that access roads and bikeways for public recreational areas and historical sites be provided..." reserves \$3,000,000 from highway funds for such purpose, and further provides that "The Commonwealth Transportation Board, with the concurrence of the Director of the Department of Conservation and Recreation, is hereby authorized to make regulations to carry out the provisions of this section."; and

WHEREAS, the Director of the Department of Conservation and Recreation and the Commonwealth Transportation Board have adopted a joint policy to govern the use of Recreational Access Funds pursuant to Section 33.1-223 of the code of Virginia; and

WHEREAS, the Richlands Town Council has, by appropriate resolution, requested the use of Recreational Access Funds to provide adequate access to Williams Park, located off Farmer Street in the Town of Richlands, and said access is estimated to cost \$122,000; and

WHEREAS, this request is being considered by the Director of the Department of Conservation and Recreation.

10-11-94

NOW, THEREFORE, BE IT RESOLVED that \$122,000 from the 1994-95 Fiscal Year Recreational Access Fund be allocated to construct the access road to Williams Park in the Town of Richlands, Project 9999-148-524,M501 contingent upon

1. all necessary right of way, environmental assessments and mitigation, and utility adjustments being provided at no cost to the Commonwealth; and
2. the payment of ineligible project costs and of all project costs in excess of \$122,000 from sources other than those administered by the Virginia Department of Transportation; and
3. the Director of the Department of Conservation and Recreation finding Williams Park to be a public recreational area and recommending the construction of the aforementioned access road.

AND FURTHER, the project constructed in accordance with this resolution shall hereafter be known as a "Virginia Byway."

Motion carried.

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Moved by Mr. Waldman, seconded by Mr. Rhea, that

WHEREAS, the Treasury Board of the Commonwealth of Virginia (the "Treasury Board") plans to issue Transportation Facilities Bonds, Series 1994 (the "Series 1994 Bonds") to finance a portion of the cost of certain improvements to the George P. Coleman Bridge and approaches; and

WHEREAS, there has been presented to this meeting the form of a Memorandum of Understanding (The "Memorandum of Understanding"), copies of which instrument shall be filed with the records of the Commonwealth Transportation Board (the "Transportation Board").

10-11-94

NOW, THEREFORE, BE IT RESOLVED that

1. The Chairman or the Vice Chairman of the Transportation Board is hereby authorized and directed to execute the Memorandum of Understanding and deliver it to the Treasury Board.

2. The Memorandum of Understanding shall be in substantially the form submitted to this meeting, which is hereby approved, with such completions, omissions, insertions and changes as may be approved by the officer executing it, his execution to constitute conclusive evidence of the approval of any such completions, omissions, insertions and changes.

3. The Chairman or Vice Chairman of the Transportation Board is hereby authorized and directed to execute, deliver and file all certificates and instruments and to take all such further action as they may consider necessary or desirable in connection with the undertaking of the financing.

4. All of the acts of the Chairman or Vice Chairman of the Transportation Board that are in conformity with the purposes and intent of this resolution and in furtherance of the undertaking of the financing are hereby approved and confirmed.

5. The Transportation Board hereby designates the Commonwealth Transportation Commissioner and the Assistant Commissioner for Finance as authorized representatives for the purposes of Section 204 of the Memorandum of Understanding.

6. This resolution will take effect immediately.

Motion carried.

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**MEMORANDUM OF UNDERSTANDING, DATED AS OF NOVEMBER 16, 1994,  
BETWEEN THE TREASURY BOARD AND THE COMMONWEALTH  
TRANSPORTATION BOARD REGARDING COMMONWEALTH OF  
VIRGINIA TRANSPORTATION FACILITIES BONDS, SERIES 1994**

**(GEORGE P. COLEMAN BRIDGE)**

This Memorandum of Understanding sets forth certain agreements by and between the Treasury Board and the Commonwealth Transportation Board regarding the issuance and sale of Commonwealth of Virginia Transportation Facilities Bonds, Series 1994 (the "Series 1994 Bonds"). The Series 1994 Bonds are being issued to finance a portion of the cost of certain improvements to the George P. Coleman Bridge and approaches.

**ARTICLE I**

**Definitions**

Unless otherwise defined herein, all capitalized terms used herein shall have the meanings set forth below.

"Act" means the Commonwealth of Virginia Transportation Facilities Bond Act of 1993, Chapters 596 and 799 of the 1993 Virginia Acts of General Assembly.

"Additional Bonds" means any additional bonds secured by Net Revenues.

"Bonds" means the Series 1994 Bonds and any Additional Bonds.

"Bond Fund" means the fund created pursuant to Section 302 hereof for payment of principal of and interest on the Bonds, consisting of the Principal Account and the Interest Account.

"Capitalized Interest Account" means the account created hereunder, which is part of the Construction Fund.

"Coleman Bridge" means the George P. Coleman Bridge, which provides a crossing of the York River for U.S. Route 17 between Gloucester and York Counties, and approaches.

"Construction Account" means the account created hereunder, which is part of the Construction Fund.

"Construction Fund" means the fund created pursuant to Section 202 hereof.

"Improvements" means the reconstruction of the existing Coleman Bridge including additional lane capacity and toll collection and administration facilities, buildings and equipment.

"Interest Account" means the account created hereunder, which is a part of the Bond Fund.

"Maintenance and Replacement Fund" means the fund created pursuant to Section 303 hereof.

"Memorandum" means this Memorandum of Understanding between the Treasury Board and the Transportation Board dated as of November 16, 1994, as amended in accordance herewith.

"Net Revenues" means revenues received from tolls, rates, fees and charges for or in connection with the use of the Coleman Bridge, less such amounts as may be required to pay the ordinary operating and maintenance costs of the Coleman Bridge.

"Principal Account" means the account created hereunder, which is a part of the Bond Fund.

"Revenue Fund" means the fund created pursuant to Section 301 hereof.

"Series 1994 Bonds" means the Commonwealth of Virginia Transportation Facilities Bonds, Series 1994, in the aggregate principal amount of \$\_\_\_\_\_.

"Transportation Board" means the Commonwealth Transportation Board.

"Treasury Board" means the Treasury Board of the Commonwealth of Virginia.

"Treasury Board Resolution" means the resolution adopted by the Treasury Board on November 16, 1994, authorizing the issuance and sale of the Series 1994 Bonds.

## ARTICLE II

### Application of Proceeds; Establishment of Construction Fund; Deposits and Transfers

Section 201. Application of Proceeds of Series 1994 Bonds. The proceeds of the Series 1994 Bonds shall be applied by the State Treasurer as follows:

(a) \$\_\_\_\_\_ shall be used to pay the expenses of issuing the Series 1994 Bonds.

(b) \$ \_\_\_\_\_, representing accrued interest on the Series 1994 Bonds from their date to the date of delivery to the initial purchaser or purchasers thereof, shall be deposited in the Interest Account of the Bond Fund.

(c) \$ \_\_\_\_\_, representing the interest to accrue on the Series 1994 Bonds from their date of delivery to and including December 1, 1996, shall be deposited in the Capitalized Interest Account of the Construction Fund.

(d) The balance of such proceeds shall be deposited in the Construction Account of the Construction Fund to pay cost of the Improvements.

**Section 202. Establishment of Construction Fund.** There is hereby established and created in the State Treasury a special fund, designated the "Construction Fund," which shall be held by the State Treasurer. The Construction Fund shall consist of two accounts: (1) the Capitalized Interest Account and (2) the Construction Account.

**Section 203. Payment of Interest During Construction.** Semi-annually, on or before each interest payment date on the Series 1994 Bonds, the State Treasurer shall transfer from the Capitalized Interest Account to the Interest Account an amount sufficient (taking into account the accrued interest and investment earnings thereon) to pay the interest on the Series 1994 Bonds due on such date.

**Section 204. Payment of the Cost of Improvements.** The acquisition and construction of the Improvements shall be administered by the Transportation Board. All costs of the acquisition and construction of the Improvements are payable, at the direction of representatives authorized or designated by the Transportation Board, from the Construction Account.

**Section 205. Completion.** Upon the completion of the Improvements the State Treasurer may, and not later than one year after such completion the State Treasurer shall, transfer any remaining moneys and investments credited to the Capitalized Interest Account to the Construction Account. Moneys in the Construction Account after completion of the Improvements may be expended for any authorized improvements to the Coleman Bridge or transferred to the Bond Fund for application in accordance with Section 302.

### **ARTICLE III**

#### **Establishment of Revenue and Bond Funds; Deposits and Transfers**

**Section 301. Establishment of Revenue Fund.** All revenues received from tolls, rates, fees and charges for or in connection with the use of the Coleman Bridge shall be deposited in the State Treasury in the Revenue Fund which shall be maintained by the State Treasurer. All expenses of maintenance, repair, and operation of the Coleman Bridge will be paid by the Transportation Board from the Revenue Fund. To the extent that moneys in the Revenue Fund

are insufficient to pay such costs of maintenance, repair and operation, the Transportation Board intends to pay such costs from its regular appropriations. The State Treasurer shall establish such accounts within the Revenue Fund as may be required by any legislation or resolution supplemental to the Treasury Board Resolution with respect to (i) the issuance of any Additional Bonds or (ii) any additional improvements to the Coleman Bridge.

Section 302. Establishment of Bond Fund. There is hereby established and created in the State Treasury a special fund, designated the "Bond Fund," which shall be held by the State Treasurer. The Bond Fund shall consist of the following accounts: (1) Principal Account, from which payments of principal of the Bonds shall be made as the same become due and payable, whether at maturity or by redemption prior to maturity and (2) Interest Account, from which payments of interest on the Bonds shall be made as the same become due and payable. Interest accrued on the Series 1994 Bonds to the date of delivery shall be deposited in the Interest Account. Moneys in the Principal Account may be used by the Treasury Board for the accelerated retirement of Bonds, either by purchase or optional or mandatory redemption, the Treasury Board to determine the timing and the amount of such purchase or redemption of Bonds in accordance with the provisions of such Bonds.

Section 303. Establishment of Maintenance and Replacement Fund. There is hereby established and created in the State Treasury a special fund, designated the "Maintenance and Replacement Fund," which shall be held by the State Treasurer. The Transportation Board shall pay certain costs of the Coleman Bridge, including, without limitation, insurance and extraordinary maintenance such as resurfacing, major bridge painting, equipment replacement and other expenses not recurring annually from funds in the Maintenance and Replacement Fund and to the extent such funds are inadequate, the Transportation Board intends to pay such costs from its regular appropriations. Funds in the Maintenance and Replacement Fund are not pledged to the payment of principal of or interest on the Bonds.

Section 304. Transfers from Revenue Fund. Promptly in each month, the State Treasurer will transfer from the Revenue Fund the amount held in the Revenue Fund on the last day of the preceding month, after deducting such amount as the Transportation Board then determines to be necessary for the payment of the expenses of ordinary maintenance, repair and operation of the Coleman Bridge, and deposit in the following funds and accounts in the following order:

- (a) in the Principal Account or Interest Account of the Bond Fund, as the State Treasurer deems appropriate, such amounts as may be required to make the total amount then in the Bond Fund equal to (i) the amount of interest which will become due within the next six months on all Bonds then outstanding and (ii) the amount of principal of the Bonds which will become due within the next twelve months, including any Bonds subject to mandatory redemption; and

(b) in the Maintenance and Replacement Fund, such amount as may be determined by the Transportation Board to be necessary to provide a reserve for payment of the costs of extraordinary maintenance and repair.

Any balance remaining after the applications prescribed by paragraphs (a) and (b) shall, to the extent permitted by law, be paid to the Transportation Board to be used for additional improvements to the Coleman Bridge or deposited in the Transportation Trust Fund for such other use as the General Assembly may designate.

Section 305. Pledge of Net Revenues. Net Revenues are pledged to the payment of principal of, premium, if any, and interest on the Bonds.

Section 306. Disposition of Balances in Funds after Payment of Bonds. After the principal of and premium, if any, and interest on all of the Bonds and all expenses and charges in connection therewith have been paid or provision therefor has been made, any balance remaining in any fund shall be paid to the Transportation Trust Fund.

#### ARTICLE IV

##### Miscellaneous

Section 401. Operation of the Coleman Bridge: Tolls. The Transportation Board shall establish and enforce reasonable rules and regulations governing the use and operation of the Coleman Bridge.

The Transportation Board shall adopt a schedule of tolls which, together with other revenues available for such purposes, will at all times produce, without any State aid, Net Revenues sufficient to pay the principal of and interest (to the extent not provided for from the Capitalized Interest Account) on the Bonds as they become due and payable and to provide for contributions to the Maintenance and Replacement Fund as provided in Section 304(b) above.

The Transportation Board shall classify tolls in a reasonable way to cover all traffic so that the tolls may be uniform in application to all traffic falling within any reasonable class regardless of the status or character of any person, firm or corporation participating in the traffic. The Transportation Board may utilize electronic toll collection technologies at it deems appropriate. No reduced rate of toll shall be allowed within any such class except through the use of commuter rates based upon frequency or volume of use, and no free vehicular passage shall be permitted over the Coleman Bridge except to those persons referred to in subsection A of Section 33.1-252 of the Code of Virginia of 1950, as amended, or any successor provision; provided, however, that it is understood and agreed that the collection of tolls in one direction only shall not be deemed inconsistent with the provisions of this paragraph.

Section 402. Elimination of Deficits: Other Funds. The Transportation Board intends to include in each biennial budget of the Virginia Department of Transportation requests to the Governor and the General Assembly for appropriations to pay to the Revenue Fund such amounts as may be necessary to eliminate any deficits in the Bond Fund and the Maintenance and Replacement Fund. Any available federal, state and local funds may be used to pay the expenses of the maintenance, repair, and operation of the Coleman Bridge, and the interest on and the principal of the Bonds.

Section 403. Budget and Reports. The Transportation Board will annually prepare a budget for the Coleman Bridge for the ensuing fiscal year estimating the gross toll revenues and the expenses of maintenance, repair and operation, and setting forth the amount to be transferred to the Maintenance and Replacement Fund. The Transportation Board will prepare monthly and annual reports of operations. Copies of the annual budgets and the monthly and annual reports will be filed with the Treasury Board.

The State Treasurer shall furnish to the Transportation Board monthly reports showing the balances in each account of the Construction Fund (showing the Capitalized Interest Account and Construction Account separately), Revenue Fund, Bond Fund and Maintenance and Replacement Fund and any interest earned from the investment of each account.

Section 404. Investments. Pending their disbursement, moneys in the various funds and accounts maintained under this Memorandum of Understanding shall be invested and reinvested by the State Treasurer as permitted by the Act. Any profit on such investments shall be credited to the appropriate account.

Section 405. Notice of Deficiency. In the event that amounts in the Bond Fund are insufficient to make payments of principal of or interest on the Bonds as the same become due, whether at maturity or by any mandatory redemption, and it is necessary to obtain funds from the General Fund of the Commonwealth of Virginia to make such payments, the Treasury Board shall promptly notify the Governor in writing.

Section 406. Amendment. The Treasury Board and the Transportation Board may amend this Memorandum of Understanding, provided that any such amendment shall be in writing and, provided further, that any such amendment shall not, in the judgment of the Treasury Board and the Transportation Board, materially adversely affect the interests of the holders of the Bonds.

Section 407. Governor's Office. A copy of this Memorandum of Understanding shall be filed in the Governor's office. Any future changes herein not approved by both the Treasury Board and the Transportation Board must be approved by the Governor. Any disagreement between the Treasury Board and the Transportation Board regarding the Improvements or the Bonds will be submitted to the Governor for resolution.

**Section 408. Tax Covenants.** (a) The Transportation Board represents and covenants that (i) no more than ten percent (10%) of the proceeds of the Series 1994 Bonds or the Improvements financed therewith has been, or, so long as the Series 1994 Bonds are outstanding, will be, used in the aggregate for any activities that constitute a "Private Use", which includes any activity that constitutes a trade or business that is carried on by persons or entities other than governmental entities, as provided in Section 141 of the Internal Revenue Code of 1986, as amended (the "Code"), and the leasing of property financed or refinanced with the proceeds of the Series 1994 Bonds or the access of a person or entity other than a governmental unit to property or services on a basis other than as a member of the general public, (ii) no more than ten percent (10%) of the principal of or interest on the Series 1994 Bonds, under the terms thereof or any underlying arrangement, has been, or, so long as the Series 1994 Bonds are outstanding, will be, directly or indirectly, (x) secured by any interest in (I) property used for a Private Use or (II) payments in respect of such property or (y) derived from payments in respect of property used or to be used for a Private Use, whether or not such property is a part of the Improvements, (iii) no more than five percent (5%) of the proceeds of the Series 1994 Bonds will be used to make or finance loans to any person other than to a state or local governmental unit (other than loans to finance any governmental tax or assessment of general application for a specific essential governmental function or loans which are used to acquire or carry any security, obligation, annuity contract or any other investment-type property that is not acquired to carry out the governmental purpose of the Series 1994 Bonds), and (iv) with respect to private business use not related or disproportionate to governmental use financed or refinanced with the proceeds of the Series 1994 Bonds, no more than five percent (5%) of the principal of or interest on such Series 1994 Bonds, under the terms thereof or any underlying arrangement, has been, or, so long as the Series 1994 Bonds are outstanding, will be, directly or indirectly, (x) secured by any interest in (I) property used for a Private Use or (II) payments in respect of such property or (y) derived from payments in respect of property used or to be used for a Private Use, whether or not such property is a part of the Improvements.

(b) The Transportation Board covenants that it will not take any action which will, or fail to take any action which failure will, cause the Series 1994 Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code and the regulations promulgated thereunder in effect on the date of issuance of the Series 1994 Bonds, or otherwise cause interest on the Series 1994 Bonds to be includable in the gross income of the owners thereof for federal income tax purposes under existing laws. Without limiting the generality of the foregoing, the Transportation Board will comply with the applicable yield restrictions and limitations set forth in Section 148 of the Code and the regulations promulgated thereunder and pursuant to which will pay from time to time any rebate due to the United States Treasury which required rebate payment shall survive the defeasance or payment in full of the Series 1994 Bonds.

(c) The Transportation Board covenants that for so long as any of the Series 1994 Bonds are outstanding, it will not enter into any operating lease, management or service contract or similar agreement (or any amendment to any existing lease, management contract or similar agreement) with any person or entity, other than a state or local governmental entity, for all or any portion of the Improvements financed or refinanced with such Series 1994 Bonds without

first obtaining the written approval of the State Treasurer and an opinion of nationally recognized bond counsel acceptable to the Treasury Board that entering into such agreement will not cause the interest on the Series 1994 Bonds to be includable in the gross income of the owners thereof for federal income tax purposes. As of the date hereof there is no, and as of the date of issuance of the Series 1994 Bonds there will be no, such agreement.

(d) The Transportation Board reasonably expects to own and operate and does not expect to sell or otherwise dispose of the Improvements, or any component thereof, prior to the final maturity date of the Series 1994 Bonds, except such minor parts or portions thereof as may be disposed of due to normal wear, obsolescence or depreciation in the ordinary course of business. The Transportation Board represents that the facilities financed or refinanced with the proceeds of the Series 1994 Bonds will be used for its governmental purposes during the period of time the Series 1994 Bonds are outstanding, unless a favorable opinion of bond counsel is received with respect to any proposed change in use of the Improvements.

WITNESS the following duly authorized signatures.

**TREASURY BOARD**

By: \_\_\_\_\_  
Ronald L. Tillett  
Chairman

**COMMONWEALTH TRANSPORTATION BOARD**

By: \_\_\_\_\_  
Robert E. Martínez  
Chairman



10-11-94

Moved by Mr. Waldman, seconded by Mr. Rhea; that

WHEREAS, the Commonwealth Transportation Board (CTB) has approved the reconstruction of the George P. Coleman Bridge and subsequent operation as a toll facility; and

WHEREAS, the Department of Transportation (VDOT) prepared the necessary financial feasibility for the introduction of bond legislation at the 1993 General Assembly session as part of the financing plan for the project; and

WHEREAS, Chapter 596 and Chapter 799 of the 1993 Acts of Assembly authorized the sale of bonds for the project in the amount of \$38.1 million pursuant to Article X, Section 9(c) of the Virginia Constitution, which when combined with other funding sources, provides for the total estimated project cost; and

WHEREAS, at its October 21, 1993 meeting, the Commonwealth Transportation Board revised the financing plan for the project by providing additional funds and awarding the construction contract for the project; and

WHEREAS, the contract was awarded in specific recognition of the legislative authority to issue \$38.1 million in bonds at the time such financing was necessary and prudent to complete payment of the construction phase of the project; and

WHEREAS, Chapter 596 and Chapter 799 of the 1993 Acts of Assembly authorize the Commonwealth Transportation Board to fix, revise, charge and collect rates, fees, tolls and other charges for or in connection with the use of the George P. Coleman Bridge and to pledge such rates, fees and charges remaining after payment of the expenses of operating and maintaining the George P. Coleman Bridge, to the payment of principal and interest on the bonds; and

WHEREAS, through the execution of a Memorandum of Understanding between the Commonwealth Transportation Board and the Treasury Board, the Commonwealth Transportation Board will pledge the net revenues of the George P. Coleman Bridge to the payment of principal and interest on the bonds; and

10-11-94

WHEREAS, the Treasury Board is planning a bond sale in the month of November 1994 which will include the \$38.1 million for the George P. Coleman Bridge authorized by the General Assembly; and

WHEREAS, the feasibility consultant employed by VDOT has submitted a report assessing toll collection alternatives and recommended one-way toll collection and the utilization of electronic toll collection technology.

NOW, THEREFORE, BE IT RESOLVED that the toll for the George P. Coleman Bridge will be collected one-way in the northbound direction at double the per crossing rate.

BE IT FURTHER RESOLVED that the Board approves the following one-way toll rate structure:

Commuter Cars, Vans, Pick-ups	\$0.50
Commuter Commercial Vans/Trucks	\$0.80
Cars, Vans, Pick-ups	\$2.00
Two-Axle, Six-Tire Trucks and Buses	\$2.00
Three-Axle Trucks and Buses	\$6.00
Four-Axle or More Vehicles	\$8.00

FINALLY, BE IT RESOLVED that the above toll rates shall not become effective and no such tolls shall be collected until such time as the reconstructed George P. Coleman Bridge project is opened to traffic as determined by the Department of Transportation.

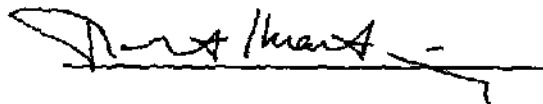
Motion carried

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Meeting adjourned at 4:40 p.m.

The next meeting will be held on November 17, 1994 in Richmond, Virginia.

Approved:



Attested:

